



UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 22 2004

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 37 CFR 1.53(c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/796,337	03/08/2004	Jeffrey Luhnow	36657-01201

CONFIRMATION NO. 2008

27171
 MILBANK, TWEED, HADLEY & MCCLOY LLP
 1 CHASE MANHATTAN PLAZA
 NEW YORK, NY 10005-1413

FORMALITIES LETTER



OC000000012779362

Date Mailed: 05/26/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- **\$130 Late oath or declaration Surcharge.**

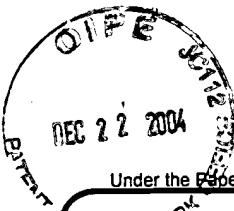
Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

12/27/2004 MAHMED1 00000071 10796337

01 FC:1051

130.00 0P

A copy of this notice MUST be returned with the reply.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 2,290.00)

Complete if Known

Application Number	10/796,337
Filing Date	March 8, 2004
First Named Inventor	Jeffrey Luhnow
Examiner Name	Unknown
Art Unit	2125
Attorney Docket No.	36657-01201

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number: 13-3250
Deposit Account Name: Milbank, Tweed

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$ 0)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X =	=
			- 3** =	X =	=

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 0)		

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	130.00
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,580*	2255 1,040	Extension for reply within fifth month	2,160.00
2,160.00			
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 2,290.00)

(Complete if applicable)

SUBMITTED BY			
Name (Print/Type)	Chris L. Holm	Registration No. (Attorney/Agent)	39,227
Signature	Date December 22, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Appl. No. 10/796,337
Docket No. 36657-01201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/796,337
Applicants : Luhnow, Jeffrey
Filed : March 8, 2004
TC/A.U. : 2125
Examiner : Unknown

Docket No. : 36657-01201
Customer No. : 27171
Title : *Look-Up Table Method For Custom Fitting Of Apparel*

CERTIFICATE OF MAILING

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450
Mail Stop: Missing Parts

I hereby certify that this:

Response to Notice to File Missing Parts of Nonprovisional Application; Declaration; Copy of Notice to File Missing Parts of Nonprovisional Application; Petition for Extension of Time (five months); Fee Transmittal; Check in the amount of \$2,290.00; and return receipt postcard.

are being deposited with the United States Postal Service via First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Mail Stop Missing Parts, Alexandria, Virginia, 22313-1450 on:

December 22, 2004

By: 
Anthony Avant

Milbank, Tweed, Hadley & McCloy LLP
One Chase Manhattan Plaza
New York, New York 10005



Appl. No. 10/796,337
Docket No. 36657-01201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/796,337
Applicants : Luhnow, Jeffrey
Filed : March 8, 2004
TC/A.U. : 2125
Examiner : Unknown

Docket No. : 36657-01201
Customer No. : 27171
Title : *Look-Up Table Method For Custom Fitting Of Apparel*

RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION UNDER 37 CFR 1.53(b)

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop: Missing Parts

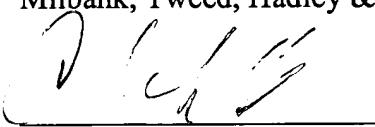
Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Under 37 CFR 1.53(b) mailed May 26, 2004, applicants submit herewith a two-page executed Declaration/Power of Attorney, and a copy of the Notification.

Also, at this time, we ask for an extension of time (five months). A check in the amount of \$2,290.00 for the extension fee (\$2,160.00) as well as the surcharge (\$130.00) is included herewith. The Commissioner is hereby authorized to charge Milbank's deposit account number 13-3250, order number 36657-01201, should additional fees be necessary in connection with this paper. A duplicate copy of this paper is attached.

Respectfully submitted,

Milbank, Tweed, Hadley & McCloy LLP


Chris L. Holm
Reg. No.: 39,227

December 22, 2004

Milbank Tweed Hadley & McCloy LLP
1 Chase Manhattan Plaza
New York, NY 10005
(212) 530-5000 / (212) 530-5219 (facsimile)